

HONORABLE MARSHA J. PECHMAN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

M.C. and S.C., parents of S.C.,

Plaintiffs,

v.

SEATTLE SCHOOL DISTRICT #1,

Defendant

Case No. CV04-1459P

STIPULATION AND AGREED ORDER TO
EXTEND NOTING DATE IN PLAINTIFFS'
FRCP 54(d) MOTION

INTRODUCTION

Plaintiffs M.C. and S.C. and Defendant Seattle School District ("SSD") agree that the noting date for Plaintiff's Rule 54(d) motion should be moved pursuant to FRCP local rule 7(d)(2)(A) to July 8, 2005, with Plaintiff's Reply due July 7, 2005, to give the parties additional time to engage in settlement negotiations.

STIPULATION AND AGREED ORDER TO
EXTEND NOTING DATE- 1

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Seattle, Washington 98104
Phone 206-264-9420
Fax 206-264-9431

STIPULATIONS

1. The parties have arrived at a tentative settlement agreement. However, it has not been reduced to writing yet because certain terms must be satisfied in fact before one party will sign the agreement. The parties believe these terms will be satisfied by the end of this week and a settlement agreement executed. The parties are requesting an extension of the noting date in order to avoid further accrual of attorney's fees by Plaintiffs, and so that Plaintiff's counsel will be able to focus on attempting to settle the case, rather than drafting a Reply.

2. The parties agree that the noting date of Plaintiffs' FRCP 54(d) motion should be extended to July 8, 2005 in order to give the parties additional time to engage in settlement negotiations and, if the case settles, to draft and execute a settlement agreement.

3. The parties agree that the Plaintiffs filed their Rule 54(d) motion in a timely fashion and that no prejudice should result from this extension.

ss/ Charlotte Cassady
Charlotte Cassady
Attorney for Plaintiffs

s/Tracy M. Miller
Tracy M. Miller, WSBA #24281
Of Karr Tuttle Campbell
Attorneys for Defendant

ORDER

THIS COURT, having considered the stipulations set forth above and the pleadings, motions, and other papers submitted in the above-captioned cause by both Plaintiffs and Defendant,

STIPULATION AND AGREED ORDER TO
EXTEND NOTING DATE- 2

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1 ORDERS that the noting date for Plaintiffs' Rule 54(d) motion shall be extended to July
2 8, 2005 pursuant to FRCP 7(d)(2)(A) and that this shall have no effect on the timeliness of
3 Plaintiffs' FRCP 54(d) motion for attorney's fees and costs.
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5 DONE IN OPEN COURT this __28th_ day of ____June_____, 2005.
6

7 ____/s Marsha J. Pechman_____
8 Honorable Marsha J. Pechman
9

10 Respectfully submitted, this 27 day of July, 2005, by
11

12 Ss/ Charlotte Cassady
13 Charlotte Cassady
Attorney for Plaintiffs

14 s/Tracy M. Miller
15 Tracy M. Miller, WSBA #24281
16 Of Karr Tuttle Campbell
Attorneys for Defendant
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STIPULATION AND AGREED ORDER TO
EXTEND NOTING DATE- 3

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